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OFFICE OF PETITION

In re Application of
Lawrence R. Green and John W. Blasecki
Application No. 09/506,430
Filed: February 17, 2000
Attorney Docket No. 15542-002310
Title: PHARMACEUTICAL ANGIOSTATIC
DIPEPTIDE COMPOSITIONS AND
METHODS OF USE THEREOF

DECISION ON PETITION

This is a decision on the petition filed on October 2, 2003, under 37 C.F.R. §1.137(b)¹ to withdraw the holding of abandonment.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed December 10, 2002, which set a shortened statutory period for reply of three (3) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on March 11, 2003.

On July 14, 2003, petitioner filed a petition under 37 C.F.R. §1.181(a), to withdraw the holding of abandonment, which was dismissed via the mailing of a decision from Technology Center 1600 on August 8, 2003.

On November 20, 2003, the Technology Center reversed this position, sua sponte, and withdrew the holding of abandonment via the mailing of a notice.

¹ A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

Consequently, the petition under 37 CFR §1.137(b)² is **DISMISSED AS MOOT**.

The application is being forwarded to the Technology Center 1600 for processing of the amendment filed with this petition under 37 C.F.R. §1.137(b) on October 2, 2003.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0011.



Paul Shanoski
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Office of the Deputy Commissioner
for Patent Examination Policy

² The petition fee has been credited to Petitioner's Deposit Account, as authorized in the petition.